

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY  
ACTION PROGRAM**

Notice is hereby given that on October 20, 2004, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued a renewal of laboratory certification to DataChem Laboratories ("DataChem") of 4388 Glendale-Milford Road, Cincinnati, Ohio. The certification number assigned to DataChem remains CL0022.

The issuance of the renewal certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

If you would like to review a copy of the certificate, or any documents related to the laboratory's certification, please contact Kay Hughes, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**State of Ohio  
Environmental Protection Agency  
Notice of Proposed Rulemaking and Public Hearing**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 6111.03, proposes an amendment to rule 3745-38-01 of the Administrative Code.

Chapter 3745-38 of the Ohio Administrative Code (OAC) contains the administrative and technical requirements for obtaining National Pollutant Discharge Elimination System (NPDES) general permits from Ohio EPA. The proposed rule amendment adds a definition of the term "alternative general permit" to rule 3745-38-01.

A public hearing on the proposed rule amendment will be held on November 30, 2004 at the Ohio EPA's Central Office, Conference Room 5A, located at 122 South Front Street in Columbus, Ohio. The public hearing will begin at 2:00 p.m. and adjourn when commenters complete their statements. All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on the proposed rule amendment. Written comments may be filed with the presiding officer at the hearing or with Ohio EPA (Attention: John Morrison, Ohio EPA, Division of Surface Water, P.O. Box 1049, 122 South Front Street, Columbus, Ohio 43216-1049) by the close of business on December 7, 2004. Comments received after this date will not be considered to be part of the official record of the hearing.

To obtain a copy of the proposed rule, contact John Morrison at the address above, by calling (614) 644-2259, or via e-mail at [John.Morrison@epa.state.oh.us](mailto:John.Morrison@epa.state.oh.us). A copy of the proposed rule is also available for inspection at Ohio EPA's Central Office and is available on the Ohio EPA Division of Surface Water Web site at <http://www.epa.state.oh.us/dsw/rules/drafrules>.

**Notice of Availability**  
**Ohio Environmental Protection Agency**  
**Model General Air Permits Available for Application**

Notice is hereby given that the Director of Environmental Protection ("Ohio EPA") is making available for application through the Division of Air Pollution Control ("DAPC") fourteen model general permits to install ("MGPTI") and model general permits to operate ("MGPTO") for natural gas and oil-fired boilers with maximum heat input ranges between 10 and 45 mmBtu/hr. Ohio EPA provided a 30-day comment period on the draft MGPTI and MGPTO terms and conditions beginning on August 13, 2004. After considering all comments received, Ohio EPA developed the final MGPTIs and MGPTOs and will begin accepting applications on October 21, 2004.

The Ohio EPA, DAPC general permit program is regulated under Ohio Administrative Code ("OAC") 3745-31-29, General Permit to Install, and 3745-35-08, General Permit to Operate. This notice is being issued in order to fulfill the requirements of OAC Rule 3745-31-29(A)(3) and OAC Rule 3745-35-08(A)(3). Additional information regarding the general permit program, copies of available MGPTIs, MGPTOs terms and conditions, and instructions for applying for the MGPTIs and MGPTOs can be found on the Ohio EPA Web page at <http://www.epa.state.oh.us/dapc/genpermit/genpermits.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these general permits can be directed to Jennifer Nichols at Ohio EPA, (614) 644-3696, [jennifer.nichols@epa.state.oh.us](mailto:jennifer.nichols@epa.state.oh.us), or mailed to Jennifer Nichols, Attn: General Permits, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**Public Hearing**  
**Ohio Environmental Protection Agency**  
**Proposed rescission of Ohio Administrative Code (OAC) Rule 3745-23-06,**  
**Control of nitrogen oxides emissions from stationary sources.**

Notice is hereby given that the Director of Environmental Protection ("Ohio EPA") proposes to rescind Ohio Administrative Code (OAC) rule 3745-23-06.

As a result of the five-year rule review, Ohio EPA has determined that OAC rule 3745-23-06 is no longer the limiting regulation for any emissions unit in Ohio and should be rescinded. This rule was promulgated in 1972 and all of the requirements in the rule have been superseded by the following more recent and equivalent or more stringent rules:

- OAC Chapter 3745-31, Permit to Install New Sources of Pollution;
- OAC Chapter 3745-14, The NO<sub>x</sub> Budget Trading Program;
- 40 CFR Part 60, Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971;
- 40 CFR Part 60, Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978;
- 40 CFR Part 60, Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units;
- 40 CFR Part 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units; and
- 40 CFR Part 60, Subpart G, Standards of Performance for Nitric Acid Plants.

Pursuant to Chapter 119.03 of the Ohio Revised Code, a public hearing on these rule revisions will be conducted at the Ohio EPA central office located at 122 S. Front Street Columbus, Ohio, 43215 on November 30, 2004 beginning at 10:00 a.m. in conference room 5B.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on this rule rescission. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on December 1, 2004, will be considered by Ohio EPA prior to final action on this rule review. Written statements submitted after December 1, 2004, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Web page for electronic downloading by clicking on "regulations" under the "topics" drop-down box and scrolling down to OAC 3745-31 Permit to Install New Sources. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Jim Tichich at Ohio EPA, (614) 644-4844, [jim.tichich@epa.state.oh.us](mailto:jim.tichich@epa.state.oh.us), or mailed to Jim Tichich, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**Notice of Availability**  
**Ohio Environmental Protection Agency**  
**Model General Air Permits Available for Application**

Notice is hereby given that the Director of Environmental Protection ("Ohio EPA") is making available for application through the Division of Air Pollution Control ("DAPC") fourteen model general permits to install ("MGPTI") and model general permits to operate ("MGPTO") for natural gas and oil-fired boilers with maximum heat input ranges between 10 and 45 mmBtu/hr. Ohio EPA provided a 30-day comment period on the draft MGPTI and MGPTO terms and conditions beginning on August 13, 2004. After considering all comments received, Ohio EPA developed the final MGPTIs and MGPTOs and will begin accepting applications on October 21, 2004.

The Ohio EPA, DAPC general permit program is regulated under Ohio Administrative Code ("OAC") 3745-31-29, General Permit to Install, and 3745-35-08, General Permit to Operate. This notice is being issued in order to fulfill the requirements of OAC Rule 3745-31-29(A)(3) and OAC Rule 3745-35-08(A)(3). Additional information regarding the general permit program, copies of available MGPTIs, MGPTOs terms and conditions, and instructions for applying for the MGPTIs and MGPTOs can be found on the Ohio EPA Web page at <http://www.epa.state.oh.us/dapc/genpermit/genpermits.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these general permits can be directed to Jennifer Nichols at Ohio EPA, (614) 644-3696, [jennifer.nichols@epa.state.oh.us](mailto:jennifer.nichols@epa.state.oh.us), or mailed to Jennifer Nichols, Attn: General Permits, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**Champaign County**

**PUBLIC NOTICE  
OHIO EPA ISSUES EMERGENCY PERMIT TO  
DAYTON POLICE DEPARTMENT BOMB SQUAD**

On October 19, 2004, Ohio EPA issued an emergency permit to the Dayton Police Department Bomb Squad to conduct open burning or detonation in an open, isolated field located on South Parkview Avenue in Mechanicsburg, Ohio. The Ohio EPA emergency permit I.D. number assigned to this final action is 05-11-1016E.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE  
APPROVAL OF FACILITIES PLAN AND APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO EAST PALESTINE**

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of East Palestine, for the following water quality improvement activity(ies): construction of various improvements at the City's waste water treatment plant along with the replacement of the Leake Street sanitary sewer.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilities planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the City of East Palestine from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Keivn G. Spurbeck at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE**  
**OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT**

On October 26, 2004, Ohio EPA issued a final class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Von Roll America, Inc., d.b.a. Waste Technologies Industries, Inc.(WTI) for its facility at 1250 St. George Street, East Liverpool, Ohio. The EPA Identification Number for this facility is OHD980613541.

**Why is Von Roll America, Inc., modifying its Permit?**

Von Roll America, Inc., is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Von Roll America, Inc., wants to incorporate the facility's Quality Assurance and Quality Control Plan in the Waste Characteristics and Waste Analysis Plan as Attachment C.12. of the permit application. This final modified permit will allow Von Roll America, Inc., to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

**Can I appeal this final modified Permit?**

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

**If I decide to appeal this final modified Permit, how and when must I make the appeal?**

If you file an appeal, you must put it in writing no later than November 25, 2004. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to Ohio Revised Code § 3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**

Notice is hereby given that on October 26, 2004, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Westlake Building and Development Company, 23826 Lorain Road, North Olmsted, Ohio 44070. The permit was issued for a project to construct the Prestwick Woods Residential Subdivision located west of Bradley Road and south of Lincoln Road, Westlake, Cuyahoga County, Ohio. This permit was issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557 within 30 days of issuance of this final action.

**Date of Public Notice: November 1, 2004**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to construct a new marina. The application was submitted by Coastline Investments, LLC, 8383 Mentor Avenue, Mentor, Ohio 44060. The project is located on the north side of Lake Shore Boulevard between East 238<sup>th</sup> and East 248<sup>th</sup> Streets, Euclid, Cuyahoga County, Ohio. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would place fill material into 7.7 acres of Lake Erie for 2,015 feet of breakwater, 335 feet of jetty, and 1142 feet of shoreline improvements and protection. The applicant's proposed minimal degradation alternative, if approved, would place fill material into 6.27 acres of Lake Erie for 2,005 feet of breakwater, 425 feet of jetty, and 1,284 feet of shoreline improvements and protection. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands. The Buffalo District of the U.S. Army Corps of Engineers Number for this project is 2004-00739(0). The Ohio EPA ID Number for this project is 041027.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Beginning November 1, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at the Ohio EPA Northeast District Office by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on December 21, 2004 at 6:00 p.m. at the Euclid Public Library (Lakeshore Room), 631 East 222<sup>nd</sup> Street, Euclid, Ohio 44123. The purpose of the hearing is to obtain additional information that will be considered by the director of Ohio EPA prior to any further action on the applications. All interested persons are entitled to attend or be represented and give oral or written comments on the proposed projects.

Ohio EPA will continue to accept written comments on the application through the close of business on January 4, 2005. Comments received after this date may not be considered as part of the official record. Anyone may submit written comments or request to be placed on a mailing list for information by writing to: Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049.

**Date of Public Notice: November 4, 2004**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to fill and relocate approximately 950 linear feet of Mill Creek to expand an existing wastewater treatment plant in Hicksville. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would result in the placement of 2,900 cubic yards of fill in the existing stream channel which would then be reconstructed approximately 200 feet to the west. The applicant's minimal degradation alternative would build a bridge across the existing stream and would not require a relocation. The applicant's non-degradation alternative would have no direct impacts to water resources on site. The application was submitted by the Village of Hicksville, 111 S. Main St, Hicksville, Ohio 43526. The project is located at the Hicksville Wastewater Treatment Plant, 510 South Bryan St, in Defiance County, Hicksville, Ohio. The Army Corps of Engineers number for this project is 200300953(1) and has provisionally covered this project under NWP 39. The Ohio EPA number for this project is 034057.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Mill Creek, located in the Upper Maumee River watershed (04100005). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting November 4, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**PUBLIC NOTICE  
APPROVAL OF APPLICATION  
FOR SUPPLEMENTAL ASSISTANCE FROM  
THE WATER POLLUTION CONTROL LOAN FUND  
TO THE CITY OF COLUMBUS**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Columbus, for the following water quality improvement activity: Instrumentation & Control system Upgrade, Phase II, at both, the Southerly and Jackson Pike wastewater treatment plants.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Columbus from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Kevin G. Spurbeck at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE  
APPROVAL OF APPLICATION  
FOR SUPPLEMENTAL ASSISTANCE FROM  
THE WATER POLLUTION CONTROL LOAN FUND  
TO THE CITY OF COLUMBUS**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Columbus, for the following water quality improvement activity: Jackson Pike Wastewater Treatment Plant New Headworks, Phase 1B, Preliminary Treatment and Reliability Improvements.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Columbus from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Kevin G. Spurbeck at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE  
APPROVAL OF APPLICATION  
FOR SUPPLEMENTAL ASSISTANCE FROM  
THE WATER POLLUTION CONTROL LOAN FUND  
TO THE CITY OF COLUMBUS**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the City of Columbus, for the following water quality improvement activity: Primary Sludge Pumping System Improvements at both, the Southerly and Jackson Pike wastewater treatment plants.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Columbus from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Kevin G. Spurbeck at the above address or by calling (614) 644-2798.

**Date of Public Notice: November 5, 2004**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to culvert 956 linear feet of Whims Ditch. The application was submitted by Agg Rok Materials Company, 2300 Brown Road, Grove City, Ohio 43123. The applicant's preferred alternative would leave in place their previously unauthorized culvert of 956 linear feet of Whims Ditch. The applicant's non-degradation would have no direct impacts on streams or wetlands and would therefore require the removal of 956 linear feet of the unauthorized culvert. The project is located in Whims Ditch near the intersection of State Route 104 and Frank Road in Columbus, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is 200200414. The Ohio EPA ID Number for this project is 022328.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Whims Ditch. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting November 5, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**PUBLIC NOTICE  
APPROVAL OF FACILITIES PLAN AND APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO THE VILLAGE OF FAYETTE**

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Fayette for the following water quality improvement activities: improvements at the wastewater treatment plant, construction of a new gravity sewer line that will serve adjacent areas in Fulton County and the separation of a portion of an existing combined sewer within the Village's existing service area.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilities planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Village of Fayette from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Brian Enck at the above address or by calling (614) 644-3651.

**Green County**

**PUBLIC NOTICE  
OHIO EPA ISSUES EMERGENCY PERMIT TO  
WRIGHT PATTERSON AIR FORCE BASE**

On October 19, 2004, Ohio EPA issued an emergency permit to Wright Patterson Air Force Base to conduct open burning or detonation of hazardous waste in an open, isolated field at the Prime Beef Training Grounds, located in Wright Patterson Air Force Base, Ohio. The Ohio EPA emergency permit I.D. number assigned to this action is 05-29-1007E.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

**PERMIT TO INSTALL (PTI #06-07409)**

Notice is hereby given that on October 28, 2004, Ohio EPA issued a Permit To Install (PTI #06-07409), which authorizes Apex Energy, Inc. (Apex) to increase the authorized maximum daily waste receipt (AMDWR) of its Apex Sanitary Landfill (Facility) from 1,500 tons to 5,250 tons. The facility is located east of Jefferson CR-78 and Harrison CR-51, approximately one mile north of SR-646, Jefferson County. This authorization is subject to all rules, regulations and specified conditions. This action may be appealed to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614)644-2621.

**PUBLIC NOTICE  
APPROVAL OF FACILITIES PLAN AND APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO THE VILLAGE OF HARTFORD**

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Hartford, for the following water quality improvement activity(ies): construction of a conventional gravity/pressure sewer collection system and extended aeration wastewater treatment package plant.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilities planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Village of Hartford from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

Each of these approvals is a distinct final action of the Director may be appealed as a separate action to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Mary Mariani, Project Coordinator at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE  
APPROVAL OF APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO THE CITY OF LORAIN**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the city of Lorain, for the following water quality improvement activity: upgrade of the Pearl and Tacoma pump stations.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to city of Lorain from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Larry Benintend at the above address or by calling (614) 644-2798.

**Marion County**

**PUBLIC NOTICE  
OHIO EPA ISSUES EMERGENCY PERMIT TO  
MARION CITY POLICE DEPARTMENT**

On October 28, 2004, Ohio EPA issued an emergency permit to the Marion City Police Department to conduct open burning or detonation of hazardous waste in an open, isolated field located on Campbell Road in Marion, Ohio. The Ohio EPA emergency permit I.D. number assigned to this final action is 03-51-1017E.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Medina County**

**PUBLIC NOTICE  
OHIO EPA ISSUES EMERGENCY PERMIT TO  
LAKE COUNTY BOMB SQUAD**

On October 15, 2004, Ohio EPA issued an emergency permit to the Lake County Bomb Squad to conduct open burning or detonation of hazardous waste in an open, isolated field located in a gravel pit on Girdled Road in Leroy, Medina County, Ohio. The Ohio EPA emergency permit I.D. number assigned to this final action is 02-52-1011E.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

Annual Survey  
Solid & Infectious Waste Program  
C&DD Program

Notice is hereby given on October 27, 2004, in accordance with OAC Rule 3745-37-08, the director of Ohio EPA have determined that the Meigs County Health Department, Mulberry Hts. P.O. Box 631, Pomeroy, Ohio 45769, is in substantial compliance and hereby place the Meigs County Health District on Ohio EPA's Approved List(s) of health districts authorized to administer and enforce the Solid and Infectious Waste and Construction and Demolition Debris laws and rules in accordance with Sections 3734.08 and 3714.09 of the Ohio Revised Code (ORC). This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614)644-2621.

**Date of Public Notice: November 4, 2004**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to construct a walkway and four breakwater piers on the west shoreline of Grand Lake St. Marys. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would result in the placement of 83,053 cubic yards of fill covering approximately 9.32 acres of lake bottom. The applicant's minimal degradation alternative would only build the 5,000 linear foot pedestrian boardwalk resulting in approximately 30,973 cubic yards of fill covering 4.57 acres of lake bottom. The applicant's non-degradation alternative would have no direct impacts water resources on site. The application was submitted by the City of Celina, 426 W. Market St, Celina, Ohio 45822. The project is located along the west bank of Grand Lake St. Marys, in Mercer County, Celina, Ohio. The Army Corps of Engineers number for this project is 200400118. The Ohio EPA number for this project is 042042.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Grand Lake St. Marys, located in the Wabash River watershed (05120101). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting November 4, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**Montgomery County**

**PUBLIC NOTICE  
OHIO EPA ISSUES EMERGENCY PERMIT TO  
WRIGHT PATTERSON AIR FORCE BASE**

On October 19, 2004, Ohio EPA issued an emergency permit to Wright Patterson Air Force Base to conduct open burning or detonation of hazardous waste in an open, isolated field located at the Riverside Business Park, in Riverside, Ohio. The Ohio EPA emergency permit I.D. number assigned to this action is 05-29-1012E.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: November 1, 2004**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a proposed project (Preferred Alternative) to construct a new roadway on an alignment between State Route 146 (Newark Road) and State Route 60 (Maple Avenue) on the northwest side of the City of Zanesville, Muskingum County, Ohio. The application was submitted by the City of Zanesville, 401 Market Street, Zanesville, Ohio 43701. The Ohio EPA identification number is 042137. The Applicant's Project identification number is: MUS-146/60-0.00, PID 20811.

The Minimal Degradation Alternative contains two design features, consist of making improvements to Olde Falls Road or Military Road by widening the roadways to five lanes. The vertical and horizontal curves on Olde Falls Road, and vertical curve on Military Road, would require realignment and regrading. To avoid impacts to aquatic resources in the project area, the Non-Degradation Alternative would utilize existing roadway facilities without widening or constructing additional through lanes. The proposed alternatives, except for the Non-Degradation Alternative, would impact 878 linear feet, 500 linear feet, and 200 linear feet of streams, for the Preferred Alternative, and Olde Falls Road (Minimal Degradation) and Military Road (Minimal Degradation), respectively.

The discharges from the activity, if approved, would result in degradation to, or lowering of water quality of the Licking River Watershed. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting November 1, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits

Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**PUBLIC NOTICE**  
**OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT**

On October 29, 2004, Ohio EPA issued a final Class 3 modified hazardous waste facility installation and operation permit (Hazardous Waste Permit) to Brush Wellman, Inc. for its facility at 14710 W. Portage River South Road, Elmore, Ohio. The EPA Identification Number for this facility is OHD004212999.

**Why is Brush Wellman, Inc. modifying its permit?**

Brush Wellman, Inc. manufactures and markets beryllium alloys, beryllium oxide and metallic beryllium. Brush Wellman, Inc. also generates hazardous wastes from the manufacturing process and stores these wastes in containers at the facility. Brush Wellman, Inc. proposes to add a risk-based integrated groundwater monitoring program and outlines the steps to be taken if this monitoring program reveals that the plume of contaminated groundwater is expanding. This final modified permit will allow Brush Wellman, Inc. to make the requested changes. To issue this final Permit Modification, Ohio EPA determined that the Hazardous Waste Permit application is complete and meets appropriate standards.

**Can I appeal this final modified Permit?**

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

**If I decide to appeal this final modified Permit, how and when must I make the appeal?**

If you file an appeal, you must put it in writing no later than November 30, 2004. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to Ohio Revised Code § 3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE**

Notice is hereby given that on October 26, 2004, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to 3D Real Estate Partners, Ltd., 4564 East 71<sup>st</sup> Street, Cleveland, Ohio 44105. The permit was issued for a project to construct a combined commercial and residential development known as the Cascades of Brimfield, located on Tallmadge Road (Route 18), Brimfield Township, Portage County, Ohio. This permit was issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557 within 30 days of issuance of this final action.

**Stark County**

**PUBLIC NOTICE  
OHIO EPA ISSUES EMERGENCY PERMIT TO  
THE TIMKEN COMPANY**

On October 19, 2004, Ohio EPA issued an emergency permit to the Timken Company for shipment of hazardous waste to Envirocare, Inc. in Utah, and to Waste Control Specialists, in Texas. The Ohio EPA emergency permit I.D. number assigned to this final action is 02-76-1013E.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE**

**DIRECTOR'S FINAL FINDINGS AND ORDERS**

Notice is hereby given that on October 25, 2004, the director of Ohio EPA issued Final Findings and Orders to Richard Parker d.b.a. Parker Tire Company ("Respondent"), 5608 Akron-Cleveland Road, Summit County, Hudson, OH 44236 (the "Property"). Upon the effective date of these Orders the Respondent shall implement mosquito control measures at the Property in accordance with the provisions of OAC Rule 3745-27-60(B)(8). Respondent shall establish storage piles and fire lanes at the Property, not later than thirty (30) days after the effective date. Not later than one hundred twenty (120) days after the effective date of these Orders, Respondent shall remove or cause removal of all scrap tires from the Property . These Final Findings and Orders are subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

**Summit County**

**PUBLIC NOTICE**

**RECEIPT OF PERMIT TO INSTALL APPLICATION**

Notice is hereby given on October 28, 2004, that Ohio EPA received an application for a Permit to Install (PTI #02-20084) for Penn-Ohio Coal Co., d.b.a. Kimble Transfer and Recycling (Applicant), 3596 State Route 39 NW, Dover, Ohio 44622. This application is a request for a Permit to Install a new solid waste transfer facility. The exact location of the facility is 12.466 acres 800' north of intersection of East Highland and Chamberlin Roads (west side), Twinsburg, Ohio 44087. The application was received by Ohio EPA on October 20, 2004 and may be reviewed in accordance with Ohio EPA's file review procedures by writing to, Ohio EPA Northeast District Office, 2110 E. Aurora Road, Twinsburg, Ohio 44087, tel: (330) 963-1200.

**PUBLIC NOTICE**

OAC 3745-30-08(D)(9)(b) Approval

Notice is hereby given that on October 22, 2004, pursuant to OAC Rule 3745-30-08(D)(9)(b), the director of Ohio EPA approves the demonstration in the reports dated January 23, 2004 and updated April 22, 2004 and WCI Steel, Inc., 1040 Pine Avenue, SE, Warren, OH 44483-6528 is authorized to continue detection monitoring for monitoring well WC-11D at the WCI Steel Class 1 Residual Waste Landfill in Trumbull County. This approval is subject to all rules, regulations, and specified conditions. This action of the director of Ohio EPA is final and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

**PUBLIC NOTICE  
APPROVAL OF APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO THE VILLAGE OF GNADENHUTTEN**

The Director of the Ohio Environmental Protection Agency is providing notice of the approve of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Gnadenhutten for the following water quality improvement activities: improvements at the wastewater treatment plant including the construction of preliminary treatment, anoxic treatment, pre-aeration, membrane bioreactor, disinfection, sludge digestion, aeration equipment, and sludge dewatering equipment.

This approval is based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the Village of Gnadenhutten from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

This final action of the Director may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 and 6111.036 (P) of the Ohio Revised Code. The appeal must be in writing and shall set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Brian Enck at the above address or by calling (614) 644-3651.